

### **REMARKS**

Applicant received a restriction requirement on 17 March 2006. Applicant then provisionally elected claims 1-8 with traversals, and added new claims 21-35. Applicant then received a Notice of Non-Compliant Amendment dated 7 June 2006 objecting to new claims 21-35. Applicant then protested the Notice, and subsequently the non-final Office Action of 10 July 2006 has issued.

According to page 3 of the non-final Office Action (dated 10 July 2006), the abstract is objected to. Applicant therefore now deletes the portion of the abstract that is objected to.

#### **Reason for Withdrawing Claims 29-34 Is Mistaken**

The non-final Office Action says (at page two, fourth sentence) that claims 29-34 are withdrawn because they are “drawn to a computer program product.” However, Applicant respectfully submits that the Office Action is incorrect. Claims 29-34 are ***not*** directed to a computer program product. Claims 21-28 are directed to a computer program product, whereas claims 29-34 say nothing about a computer program product. Therefore, Applicant respectfully requests that claims 29-34 not be withdrawn, and requests that the restriction of claims 29-34 be withdrawn.

#### **Restriction or Withdrawal of Claim 35 Should Be Withdrawn**

The Office Action cites MPEP § 821.03, at page 2 of the Office Action as a reason for withdrawing claim 35. However, Applicant respectfully submits that MPEP § 821.03 is inapplicable here. MPEP § 821.03 applies when there is a “subsequent presentation of claims for different invention,” whereas the present addition of linking claims is very different from “subsequent presentation of claims for different invention.” In other words, it is impossible for a claim that links to an invention previously claimed to be “distinct from and independent of” the invention previously claimed.

Claim 35 is clearly a linking claim. Claim 35 is a means claim for practicing the process of claim 1. Therefore, according to MPEP § 809.03(C), claim 35 ***clearly links*** claims 1 and 17. MPEP § 809.03(C) confirms that claim 35 is a linking claim:

“The most common types of linking claims which, if allowed, act to prevent restriction between inventions that can otherwise be shown to be divisible, are...(C) a claim to ‘means’ for practicing a process linking proper apparatus and process claims....”

Consequently, Applicant respectfully submits that the restriction or withdrawal of claim 35 should be withdrawn.

The Office Action also cites 37 CFR § 1.142(b) at page 2 of the Office Action as a reason for withdrawing claim 35. According to 37 CFR § 1.142(b), withdrawn claims are subject “to reinstatement in the event the requirement for restriction is withdrawn.” Applicant again respectfully submits that the requirement for restriction be withdrawn, due to the presence of a valid linking claim. Applicant notes that MPEP § 809.03 requires that form paragraph ¶ 8.12 “*must* be included in *any* restriction requirement with at least one linking claim present” (emphasis added). Applicant therefore respectfully requests that ¶ 8.12 be used in the event that claim 35 is subjected to a restriction requirement.

#### **Restriction or Withdrawal of Claim 21 Should Be Withdrawn**

The non-final Office Action states (at page two, fourth sentence) that claim 21 is withdrawn because it is directed to a computer program product. However, according to MPEP § 809.03(C), the means claim 35 links process claim 1 with computer program product claim 21. Therefore, Applicant respectfully submits that the restriction of claim 21 should be withdrawn, and claim 21 should not be withdrawn, for reasons similar to the reasons described above with respect to claim 35.

#### **Amended Dependent Claims 4 and 7 are Not Indefinite**

The non-final Office Action does examine claims 1-8, and all of those claims are now rejected. The rejected independent claims are claims 1 and 5.

Dependent claims 4 and 7 are rejected as indefinite due to unclarity of the terms “GET” and “POST.” However, these are both well-known terms. For example, *Newton’s Telecom Dictionary*

(16<sup>th</sup> Expanded and Updated Edition, c. 2000) states that “GET” means to get information from a web server, and “POST” means to upload information to a web server. In order to expedite prosecution of the application, claims 4 and 7 are now amended without prejudice, merely to include these well-known definitions.

**Amended Independent Claims 1 and 5 are Not Suggested or Anticipated by Jensen**

Independent claims 1 and 5 are rejected as anticipated by *Jensen* (U.S. Patent Application No. 20040147268A1). However, in the cited paragraphs 5-6 and 40-41, there is no disclosure of the location invocation document being located in the body section. Instead, paragraph 41 discloses that, “The information is provided by substituting the **headers** of message 204.” Therefore, Applicant respectfully submits that this rejection appears to be unjustified.

The present independent claims 1 and 5 both claim the “location invocation document being comprised in said body section.” Paragraph 41 of *Jensen* teaches away from this feature of the present claimed invention.

**Further Remarks**

Applicant respectfully incorporates herein by reference the remarks previously submitted on April 17, 2006 at pages 11-12.

**CONCLUSION**

Applicant respectfully submits that the amended claims of the present application define patentable subject matter. Early passage of the pending claims to issue is earnestly solicited. Applicant would appreciate if the Examiner would please contact Applicant's attorney by telephone, if that might help to speedily dispose of any unresolved issues pertaining to the present application.

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